



Senator Ted W. Lieu

28th Senate District

SB xxx

'Swatting' / False 911 Calls

Fact Sheet

Background:

'Swatting' recently has grown to near-epidemic proportions in California – particularly throughout Los Angeles County. 'Swatting' is when an individual makes prank calls and/or false reports of violent crimes to law enforcement in an attempt to solicit a tactical police response that often includes a SWAT team (thus the term 'swatting').

These hoax 911 calls have become increasingly common in the past few months as they involve entertainers, celebrities and other public officials. Swatting victims include Simon Cowell, Ashton Kutcher, Tom Cruise, the Kardashians, Chris Brown, Charlie Sheen, Miley Cyrus, Justin Bieber and others. But celebrities are not the only ones who have been targeted; many private individuals and local law enforcement officials have also fallen victim to the swatting hoax.

Swatting incidents have already resulted in injuries for several responding officers, and many law enforcement officials fear that it is only a matter of time before events take a deadly turn. Los Angeles Police Chief Charlie Beck acknowledged in the *Los Angeles Times* that swatting has stretched the LAPD's emergency response capacity while also endangering victims by placing them in potential confrontation with police.

Swatting not only is an inconvenience to the victims but also a costly waste of precious law enforcement resources. Law enforcement takes every emergency reported and uses its resources to maximize public safety. But at the time a false report is given, law enforcement is unaware that it is a hoax -- until they get to the scene of the alleged crime.

Given recent tragedies involving gun violence nationwide, pranks that divert public safety resources are far from harmless and, in fact, are the last thing needed; they must be deterred. This bill seeks to create a greater deterrent and provide law enforcement with the ability to help recoup expenses.

Deficiency in Current Law:

Current law allows for either misdemeanor or felony charges, depending on the judge's discretion, for those convicted of making false emergency reports. But the law is so burdensome that no one ever has been charged with a felony. Additionally, current law does not assign any liability for the violating individual to pay back the cost associated with responding to the bogus emergency.

This Bill:

This bill – to be introduced in the coming weeks – would crack down on swatting and help provide law enforcement with the ability to recoup expenses for responding to prank reports.

Specifically, the bill would:

- Hold the person convicted of making a false emergency report liable for all costs associated with the response by law enforcement;
- Make it easier to charge a swatting suspect with a felony when someone is injured. It does this by removing the requirement for prosecutors that the person knew injury or death would occur as a result of the false report; and
- Require the person convicted of a misdemeanor to spend at least 120 days in county jail unless the Court states jail time is not necessary.

Support:

Los Angeles County Sheriff's Department (Sponsor)

Oppose:

None received.

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